

REMARKS

In one embodiment of the invention, the communication device that is disposed between the microprocessor and the contacts of the card operates in accordance with an asynchronous communication protocol. However, operation in accordance with other protocols is also feasible in the context of the invention. Accordingly, claim 1 has been amended to remove the recitation of the particular protocol, and thereby clarify the scope of protection to which Applicants believe that they are entitled. The specific protocol is now recited in new dependent claim 9.

In the final Office Action dated December 29, 2005, claims 1 and 6-8 were rejected under 35 U.S.C. § 102, on the grounds that they were considered to be anticipated by the Yamaguchi patent (US 5,635,047). As set forth in MPEP §2131, "to anticipate a claim, the reference must teach *every* element of the claim" (emphasis added). It is respectfully submitted that the Yamaguchi patent does not teach *every* element of the claim, and therefore does not anticipate the rejected claims.

Specifically, claim 1 recites a communication device in the form of a hard-wired circuit disposed between the contacts and the microprocessor of the card. The claim recites that this communication device checks the integrity of signals transmitted between the microprocessor and the terminal. The communication device includes means to generate and return at least one item of information to the terminal which is a function of the signals received from the terminal.

In rejecting the claim, the Examiner expresses the view that the Yamaguchi patent discloses "A card with a microprocessor and contacts, and a communication device in the form of a hard-wired circuit disposed between the contacts and the

microprocessor..." However, the Office Action does not cite any support in the Yamaguchi patent for this statement.

In relevant part, the Office Action indicates that the UART 7a disclosed in the Yamaguchi patent corresponds to the claimed communication device. However, the Office Action does not identify any disclosure that the UART comprises a hard-wired circuit, as recited in claim 1. The Office Action appears to be relying upon the fact that the UART is drawn as a separate block in Figure 1 of the patent. However, it does not identify any disclosure indicating that each block represents a hard-wired circuit. To the contrary, at column 4, lines 20-24, the Yamaguchi patent states that the IC card 100a of Figure 1 is illustrated "in the form of *functionally* separated blocks." It does not state whether these functions are performed by hard-wired circuit or in software.

In addition, claim 1 recites that the hard-wired circuit is disposed "between" the contacts and the microprocessor. As pointed out in Applicants' previous responses, the Yamaguchi patent at column 2, lines 8-10, discloses that the microcomputer "includes" functions corresponding to the CPU, the ROM, the RAM, "and the input/output circuit 7...." Applying this teaching to the IC card of Figure 1, therefore, the logical conclusion is that the UART 7a (which constitutes the input/output circuit of that embodiment) is "included" in the microcomputer. If the UART 7a is included *within* the microcomputer, then it cannot be deemed to be located "between" the contacts and the microcomputer, as recited in claim 1. Rather, the Yamaguchi patent is representative of the prior art described in the background portion of the application, wherein the input/output functions are

performed by the microcomputer, rather than by a separate hard-wired circuit disposed between the microcomputer and the contacts.

For at least these two reasons, therefore, it is respectfully submitted that the Office Action has not shown that the Yamaguchi patent discloses *every* element recited in claim 1. As such, therefore, the Yamaguchi patent does not anticipate the subject matter of claim 1. For the same reasons, it cannot be interpreted to anticipate the subject matter of dependent claims 6-8.

Reconsideration and withdrawal of the rejection, and allowance of all pending claims is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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By: _____



James A. LaBarre

Registration No. 28,632

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620